

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GREGORY STEVEN BURKE	:	CIVIL ACTION
	:	
v.	:	
	:	
COMMONWEALTH OF PENNSYLVANIA	:	
STATE CORRECTIONAL INSTITUTION AT	:	
MAHANOEY, et al	:	NO. 10-4572

**ORDER**

**AND NOW**, this 10th day of August, 2011, upon consideration of the Petition for Writ of Habeas Corpus (Document No. 1), the Respondents' Answer to Petition for Writ of Habeas Corpus (Document No. 16), the Petitioner's "Traverse Response" to Respondents' Answer Filed (Document No. 17), the Report and Recommendation filed by United States Magistrate Judge Carol Sandra Moore Wells (Document No. 19) and the petitioner's objections to the Report and Recommendation (Document No. 22), and after a thorough and independent review of the record, it is **ORDERED** that:

1. The petitioner's objections are **OVERRULED**;
2. The Report and Recommendation of Magistrate Judge Carol Sandra Moore Wells is **APPROVED** and **ADOPTED**;
3. The Petition for Writ of Habeas Corpus is **DENIED**; and,
4. There is no probable cause to issue a certificate of appealability.

/s/Timothy J. Savage  
TIMOTHY J. SAVAGE, J.